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Proposed Amendment to SB 137

Page 4, line 38:

3. The impact of any assessments made of persons with disabilities to determine if they are living in an unnecessarily restrictive residential environment, including, without limitation, any savings in costs that resulted from those assessments.

Sec. 9. The Department of Human Resources shall examine the feasibility of ~~amending the State Plan for Medicaid to authorize money to be paid as Medicaid benefits to cover the costs of community-based services for a person if:~~

Insert instead:

implementing the "money follows the person" model of community-based services as recommended by the Federal Health and Human Services Administration.

Page 5, line 1:

~~(a) The person is assessed and determined to be living in an unnecessarily restrictive residential environment;~~

~~(b) The person relocates from a facility for skilled nursing or a facility for intermediate care to a community-based setting; and~~

~~(c) Money paid as Medicaid benefits was used to cover the costs of the care of that person while the person resided in the facility for skilled nursing or the facility for intermediate care.~~

SENATE BILL NO. 137—COMMITTEE ON LEGISLATIVE
AFFAIRS AND OPERATIONS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE TO
STUDY THE STATE PROGRAM FOR PROVIDING SERVICES TO
PERSONS WITH DISABILITIES)

FEBRUARY 17, 2003

Referred to Committee on Legislative Affairs and Operations

SUMMARY—Establishes Legislative Committee on Persons With
Disabilities. (BDR 17-700)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

EXPLANATION — Matter in *bolded italics* is new; matter between brackets (*omitted material*) is material to be omitted.

AN ACT relating to persons with disabilities; establishing a
Legislative Committee on Persons With Disabilities;
prescribing the powers and duties of the Committee;
requiring the Department of Human Resources to submit
certain reports to the Committee; and providing other
matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 218 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this
3 act.
4 **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act,*
5 **“Committee”** means the *Legislative Committee on Persons With*
6 **Disabilities.**
7 **Sec. 3. 1.** *There is hereby established a Legislative*
8 **Committee on Persons With Disabilities** consisting of three
9 **members of the Senate and three members of the Assembly,**
10 **appointed by the Legislative Commission. The members must be**



1 which is named in the subpoena, or has refused to answer
2 questions propounded to him,
3 and asking for an order of the court compelling the witness to
4 attend and testify or produce the books and papers before the
5 Committee.

6 3. Upon such a petition, the court shall enter an order
7 directing the witness to appear before the court at a time and place
8 to be fixed by the court in its order, the time to be not more than
9 10 days after the date of the order, and to show cause why he has
10 not attended or testified or produced the books or papers before
11 the Committee. A certified copy of the order must be served upon
12 the witness.

13 4. If it appears to the court that the subpoena was regularly
14 issued by the Committee, the court shall enter an order that the
15 witness appear before the Committee at the time and place fixed in
16 the order and testify or produce the required books or papers.
17 Failure to obey the order constitutes contempt of court.

18 Sec. 7. Each witness who appears before the Committee by
19 its order, except a state officer or employee, is entitled to receive
20 for his attendance the fees and mileage provided for witnesses in
21 civil cases in the courts of record of this state. The fees and
22 mileage must be audited and paid upon the presentation of proper
23 claims sworn to by the witness and approved by the Secretary and
24 Chairman of the Committee.

25 Sec. 8. On or before July 1 of each even-numbered year or
26 October 1 of each odd-numbered year, the Department of Human
27 Resources shall submit a report to the Committee. The report must
28 include, without limitation, information relating to:

29 1. The expansion of the program established pursuant to
30 NRS 422.2715;

31 2. The progress made by the Department toward the goal of
32 equitably providing, by January 1, 2008, comprehensive health
33 care coverage to each person with a disability who by virtue of
34 becoming employed has established an income that is above the
35 federally designated level signifying poverty and who is unable to
36 obtain the health insurance coverage he needs from a source other
37 than a program of public assistance; and

38 3. The impact of assessments made of persons with
39 disabilities to determine if they are living in an unnecessarily
40 restrictive residential environment, including, without limitation,
41 any savings in costs that resulted from those assessments.

42 Sec. 9. 1. The Department of Human Resources shall
43 examine the feasibility of amending the State Plan for Medicaid to
44 authorize money to be paid as Medicaid benefits to cover the costs
45 of community-based services for a person if:

implementing the
"money follows the
person" model of community-based
services as recommended by the
Federal Health and Human Services
Administration.



1 ~~(a) The person is assessed and determined to be living in an~~
2 ~~unnecessarily restrictive residential environment;~~

3 ~~(b) The person relocates from a facility for skilled nursing or a~~
4 ~~facility for intermediate care to a community-based setting; and~~

5 ~~(c) Money paid as Medicaid benefits was used to cover the costs~~
6 ~~of the care of that person while the person resided in the facility for~~
7 ~~skilled nursing or the facility for intermediate care.~~

8 2. On or before July 1, 2004, the Department shall submit to
9 the Legislative Committee on Persons With Disabilities a report
10 relating to the results of the examination conducted pursuant to
11 subsection 1.

12 3. As used in this section:

13 (a) "Facility for intermediate care" has the meaning ascribed to
14 it in NRS 449.0038.

15 (b) "Facility for skilled nursing" has the meaning ascribed to it
16 in NRS 449.0039.

17 Sec. 10. This act becomes effective on July 1, 2003.

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